

REMARKS

The Patent Office has issued a restriction requirement for this patent application and has taken the position that the first 22 figures in the disclosure represent sixteen patentably distinct species. The Patent Office has demanded election among these sixteen species. Applicants dispute many of the statements made in the restriction requirement. Responsive to the restriction requirement, however, and in an effort to advance prosecution of this patent application, Applicants have replaced the claims, as described above, which includes canceling all of the previously pending claims. These changes to the claims render moot many of the statements made in the restriction requirement. But the cancellation of previous claims is made without prejudice, and Applicants reserve the right to pursue the original claims, and any other claims that are supported by the original disclosure, in one or more continuing patent applications.

Applicants submit that the different figures that were provided in the original disclosure, as well as the written description, show and describe various examples of different embodiments of the invention, but do not define the scope of what is claimed. Rather, Applicants submit that the claims define the scope of the invention. Further, Applicants contend that the claims may appropriately be supported by any part of the original disclosure, including any figure, any part of the written description, or a combination thereof. As a result, Applicants dispute that it is necessary or appropriate, at least in this case, to distinguish species of the invention for purposes of a restriction requirement based on different figures.

To comply with the requirement for an election, however, and for that purpose only, Applicants elect the species illustrated by figures 9-13. Moreover, Applicants elect the new claims that remain pending in this patent application. Applicants submit that the new claims are readable on the elected species and that many or all of the new claims are generic to many or all of the species identified by the Patent Office.

Claims 61-123 are now pending in this patent application, for a total of 63 pending claims. Claims 1-60 have been canceled without prejudice, and all of the pending claims are new. Applicants submit that no new matter has been introduced by

any of the new claims. In addition, Applicants file herewith replacement drawing sheets (marked "Replacement sheet") for Figs. 9 and 14 (sheets 6 and 8). These replacement drawing sheets add, in block diagram form, sources of transport gas and working fluid. Applicants submit that no new matter has been introduced by these drawing changes. Specifically, support for the new claims and revised drawings can be found, for example, in the original disclosure, including in Figs. 9-14, in paragraphs 0100 (housing); 0106 (transport gas, which may be steam); 0115, 0172, 0191, 0198, and 0219 (sources of transport and working fluid); 0117 (transport nozzle angled toward working fluid); 0159 (knife edge), in paragraphs 0151-0183 (describing FIGS. 9-14); and in the originally filed claims. This list is not exhaustive, and support is found in other portions of the original disclosure as well.

Applicants submit that all of the pending claims are in a form suitable for examination and that it would not be unduly burdensome to examine all of the claims currently pending. Accordingly, Applicants request that the Examiner proceed to examine all of the pending claims. Should the Examiner have any questions or further concerns about this patent application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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